

MINUTES OF THE REGULAR AUTHORITY MEETING OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY HELD ON FEBRUARY 21, 2024 AT THE AUTHORITY'S ADMINISTRATION BUILDING, LAFAYETTE, NEW JERSEY

1. CALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE

The Meeting was called to order at 3:00 p.m.

The following were present: Chairman Ronald Petillo, Vice Chairman John Drake, Commissioners Karl Meyer, Thomas Madsen, Andrea Cocula, Wayne Dietz (remote), John Wesley, John Finkeldie, Robert Dabinett, Executive Director Joseph Sesto, Comptroller Timothy Day, Solid Waste Superintendent Jonathan Morris, Wastewater Superintendent Timothy Phillips, Wallkill River Watershed Management Group Director Nathaniel Sajdak, General Counsel John Napolitano, Special Counsel Thomas Prol, and Recording Secretary Tara Kronski

2. PUBLIC STATEMENT REGARDING SUNSHINE LAW

Chairman Petillo stated that the meeting has been duly advertised, and notice given thereof, as required by P.L. 1975, Chapter 231.

3. OPEN TO PUBLIC COMMENT

Chairman Petillo opened the meeting to public comment. No public comment. Chairman Petillo closed the meeting to public comment.

4. OATH OF OFFICE – Andrea Cocula for a 5-year term

5. AGENDA APPROVAL

Chairman Petillo asked for a motion to approve the Agenda. Executive Director Sesto requested to add discussions regarding Vernon Litigation and update report on Contract #551B North Cap Project to the Closed Session Agenda. Also, to remove Personnel Matter from Closed Session Agenda. Commissioner Drake moved the Final Agenda, seconded by Commissioner Finkeldie. On voice vote: Ayes (9); Nays (0). The motion carried.

5. APPROVAL OF CONSENT AGENDA

Commissioner Madsen moved to approve the Consent Agenda, seconded by Commissioner Drake. No discussions requested. On voice vote: Ayes (9); Nays (0). The motion carried.

6. MINUTES

Chairman Petillo requested a motion to approve/acknowledge the email distribution of the February 7, 2024 Pending Action Summary Sheets (PASS) to the County Commissioner Board in accordance with N.J.S.A. 40:14B-14(e). Commissioner Drake moved the PASS, seconded by Commissioner Wesley. On roll call: Ayes (8) Meyer, Madsen, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (1) Commissioner Cocula. The motion passed.

Commissioner Cocula moved the approval of the Open and Closed Minutes for the January 3, 2024 Authority Meeting, seconded by Commissioner Drake. On roll call: Ayes (8) Commissioners Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (1) Commissioner Meyer. The motion carried.

Commissioner Cocula moved the approval of the Open and Closed Minutes for the January 17, 2024 Authority Meeting, seconded by Commissioner

Drake. On roll call: Ayes (6) Commissioners Cocula, Dietz, Petillo, Drake, Wesley, Dabinett; Nays (0); Abstain (3) Commissioners Madsen, Finkeldie, Meyer. The motion carried.

The Open and Closed Minutes for the February 7, 2024 Authority Meeting was distributed to the Commissioners for their review.

7. BUSINESS

a. Executive Session

At 3:04 p.m. Commissioner Cocula moved the adoption of the following resolution authorizing a Closed Executive Session. Motion was seconded by Commissioner Dabinett. On voice vote: Ayes (9), Nays (0). The motion carried.

Chairman Petillo noted the Closed Session should be approximately 26 minutes and discussions shall include: Upper Walkkill Service Rules Amendment #3, Upper Walkkill Annual Inspection, Sussex County Technical School Connection, Franklin Borough Facility Connection, Vernon Township Litigation, Solid Waste Contract #551B North Cap Project Update.

#24-050 RESOLUTION RE: AUTHORIZING CLOSED EXECUTIVE SESSION

At 3:32 p.m. Commissioner Cocula moved to adjourn the Closed Session, seconded by Commissioner Madsen. On voice vote: Ayes (9), Nays (0). The motion carried.

Chairman Petillo confirmed discussions held as specifically set forth in the resolution authorizing Closed Executive Session: Upper Walkkill Service Rules Amendment #3, Upper Walkkill Annual Inspection, Sussex County Technical School, Franklin Borough Facility Connection, Vernon Township Litigation, Solid Waste Contract #551B North Cap Project Update.

b. Wastewater Program

Superintendent's Report

Mr. Phillips reported that the Franklin Pump Station. The Contractor is working on the final punch list. Mr. Phillips noted the facility is working well.

Mr. Phillips presented a resolution to authorize the destruction of certain Wastewater Records/reports in accordance and as approved by the State of New Jersey, Division of Archives and Records Management. Commissioner Cocula moved the authorizing resolution, seconded by Commissioner Dabinett. On roll call: Ayes (9) Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (0) The resolution passed.

#24-051 RESOLUTION RE: AUTHORIZING DISPOSAL OF VARIOUS SCMUA RECORDS

Executive Director’s Report

Mr. Sesto reviewed the resolution regarding Upper Wallkill Facility Service Rules Amendment #3, including incorporation of polices related to sewage, septage, sludge and leachate. Commissioner Madsen moved the adopting resolution, seconded by Commissioner Drake. On roll call: Ayes (9) Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (0) The resolution passed.

#24-052 RESOLUTION RE: ADOPTION OF AMENDMENT #3 TO SERVICE RULES FOR THE SCMUA UPPER WALLKILL VALLEY WATER POLLUTION CONTROL FACILITIES

Watershed Director’s Report

Mr. Sajdak updated the Commissioners on the projects included on the Paulinskill Facility Property. The upcoming project is a crop of native warm season grass field/ pollinated habitat, which will be visible from the highway and will be utilized as an educational tool for school outings.

Comptroller’s Report

Mr. Day reviewed Upper Wallkill data for the month of January 2024. He indicated that Sludge is at 15% of projections, Septage is at 15%, and Hauled Sewage is at 45%, which averages 15% overall. Numbers are slightly under budget for projections. Connection fees through January total \$41,865.00, with no new connection fees for Paulinskill Facility.

c. Solid Waste Program

Superintendent’s Report

Mr. Morris reviewed requests for Facility Tours He noted all tours will be from 2:00 pm – 3:30 pm with staff set up and assistance. This is a good outreach program for the County residents to see the new Residents Convenience Center and Recycling Center.

Mr. Morris gave a status update on the exploration of new recycling programs. The Boat Shrink Wrap Program shall begin in April 2024, and Recycling Coordinator Latincsics has been working with a vendor to accept car bumper recycling. She has also reached out to Karen Ann Quinlan to recycle hard cover books, and GoTight is a vendor that recycles reusable bags. Discussion ensued regarding America Flag Recycling, which is still an issue due to the limited amounts that Abby Glen can incinerate. Mr. Morris will look into other means of respectable retirement of flags. Posts and Legions are having the same issue due to burning contaminants with plastic flags.

Comptroller’s Report

Mr. Day reviewed the tonnage and revenues through January 2024. Tonnage is up 0.4% and revenues are up \$187,000 (10.85%).

d. General Authority Business

Comptroller’s Report

Mr. Mr. Day presented a plaque received from Statewide Insurance to the Authority for 30 years membership award. The SCMUA has been a member of Statewide Insurance since 1994.

Executive Director’s Report

Mr. Sesto reviewed a resolution for the appointment of a Health Benefits Consultant/broker for 2024. Professional Insurance Associates submitted an RFP/RFQ and is herein recommended for appointment. Commissioner Cocula moved the resolution, seconded by Commissioner Drake. On roll call: Ayes (8) Meyer, Madsen, Cocula, Petillo, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (1) Commissioner Dietz. The resolution passed.

#24-053 RESOLUTION RE: APPOINTMENT OF PROFESSIONAL INSURANCE ASSOCIATES (PIA) AS HEALTH BENEFITS CONSULTANT SERVICES TO EVALUATE THE AUTHORITY'S EMPLOYEE STATE HEALTH BENEFITS PROGRAM - 2024

Mr. Sesto reported that resolutions have been prepared to authorize execution of contracts for 2024 Professional Services that were appointed at the Authority's Reorganization Meeting on February 7, 2024. Mr. Sesto reviewed all the appointed firms for Professional Services. Commissioner Drake moved all noted resolutions to authorize agreement executions by SCMUA Chairman and Secretary, seconded by Commissioner Cocula. On roll call: Ayes (9) Commissioners Petillo, Madsen, Cocula, Dietz, Meyer, Drake, Wesley, Finkeldie, Dabinett; Nays (0); Abstain (0). The following resolutions passed.

#24-054 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH THE FIRM OF CLEARY GIACOBBE ALFIERI JACOBS, LLC FOR THE FURNISHING OF GENERAL LEGAL COUNSEL SERVICES FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY – FEBRUARY 7, 2024 TO FEBRUARY 5, 2025

#24-055 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH THOMAS PROL, ESQ. OF SILLS, CUMMIS & GROSS P.C. FOR THE FURNISHING OF SPECIAL COUNSEL SERVICES ON ENVIRONMENTAL MATTERS FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY – FEBRUARY 7, 2024 TO FEBRUARY 5, 2025

#24-056 RESOLUTION RE: AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH JOHN HALL, ESQ. OF HALL AND ASSOCIATES FOR THE FURNISHING OF CERTAIN LEGAL SERVICES IN REGARD TO WASTEWATER AND SOLID WASTE FACILITIES NJPDES PERMITS, WATERSHED MANAGEMENT PLANNING AND RELATED MATTERS FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY – FEBRUARY 7, 2024 TO FEBRUARY 5, 2025

#24-057 RESOLUTION RE: AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH JOHN CANTALUPO OF ARCHER & GREINER, P.C. FOR THE FURNISHING OF BOND COUNSEL SERVICES FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY – FEBRUARY 7, 2024 TO FEBRUARY 5, 2025

#24-058 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PAUL CUVA, C.P.A. OF THE FIRM OF WIELKOTZ & COMPANY, LLC FOR AUDITING SERVICES IN PERFORMING THE ANNUAL AUDIT OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY'S FISCAL YEAR - 2024

#24-059 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH ARM GROUP,

INC. FOR GENERAL AND SPECIALIZED SOLID WASTE FACILITIES CONSULTING ENGINEERING SERVICES - 2024

#24-060 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH TETRA TECH FOR GENERAL AND SPECIALIZED SOLID WASTE CONSULTING ENGINEERING SERVICES – 2024

#24-061 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH STEARNS, CONRAD AND SCHMIDT (SCS ENGINEERS) FOR GENERAL AND SPECIALIZED SOLID WASTE CONSULTING ENGINEERING SERVICES – 2024

#24-062 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PS&S FOR GENERAL AND SPECIALIZED WASTEWATER FACILITIES CONSULTING ENGINEERING SERVICES AND ENVIRONMENTAL LSRP SERVICES FOR 2024

#24-063 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH HAZEN AND SAWYER FOR WASTEWATER CONSULTING ENGINEERING SERVICES FOR 2024

#24-064 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH ONE WATER CONSULTING FOR SPECIALIZED WATER QUALITY STUDIES CONSULTANT FOR 2024

#24-065 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH GABEL ASSOCIATES FOR SPECIALIZED ENERGY CONSULTING FOR 2024

#24-066 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH TRINITY CONSULTANTS FOR GENERAL AND SPECIALIZED AIR PERMIT CONSULTING SERVICES FOR 2024

#24-067 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH PHOENIX ADVISORS FOR FINANCIAL ADVISORY SERVICES – 2024

#24-068 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH LOUIS J. WEBER & ASSOCIATES, INC.(WEBER) FOR PROFESSIONAL SURVEYING SERVICES IN REGARD TO THE SOLID WASTE AND WASTEWATER FACILITIES AND RELATED MATTERS FOR THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY FOR FISCAL YEAR - 2024

#24-069 RESOLUTION RE: AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH MOTT MACDONALD FOR GENERAL AND SPECIALIZED WASTEWATER CONSULTING ENGINEERING SERVICES – 2024

e. Personnel

Solid Waste Superintendent’s Report

Mr. Morris prepared a resolution for a request for an additional 30 day Leave of Absence for SW Employee JH3855. Commissioner Cocula moved the appointing resolution, seconded by Commissioner Madsen. On roll call: Ayes (9) Commissioners Meyer, Madsen, Cocula, Dietz, Petillo, Drake, Wesley, Finkeldie, Dabinett. The resolution passed.

#24-070 RESOLUTION RE: REQUEST FOR OFFICIAL LEAVE OF ABSENCE WITH PAY FOR AN ADDITIONAL THIRTY (30) DAY PERIOD FOR JH3855

8. Financial Transactions

a. Payment of Bills

FINANCIAL CONSENT AGENDA – Chairman Petillo asked for a motion to approve the Financial Consent Agenda (FCA). On roll call:

Res #24-071 Financial Consent Agenda						
Commissioner	1st	2nd	Yea	Nay	Abstain	Absent
MEYER			x			
MADSEN			x			
COCULA			x			
DIETZ			x			
DRAKE		x	x			
PETILLO			x			
WESLEY			x			
FINKELDIE	x		x			
DABINETT			x			

#24-071 RESOLUTION RE: CONSENT AGENDA – BILL PAYING LIST

9. PUBLIC COMMENT

No public comment.

10. COMMISSIONERS COMMENTS/REQUEST

Commissioner Meyer requested to put lines on the pavement by the Resident’s Convenience containers to utilize two vehicles per box to unload at the same time.

11. ADJOURN

At 4:00 p.m. Commissioner Finkeldie moved to adjourn the meeting, seconded by Commissioner Dabinett. On voice vote: Ayes (9); Nays (0). The motion passed.

Respectfully submitted,

Andrea Cocula, Secretary